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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/341,287	08/19/1999	JOHN G. WOODS	LC-302/PCT/U	4956

7590

11/08/2002

Loctite Corporation
Legal Department
1001 Trout Brook Crossing
Rocky Hill, CT 06067

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 11/08/2002

21

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliance
With 37 CFR 1.192(c)**

Applicati n No.

09/341,287

Examin r

D. R. Wilson

Applicant(s)

WOODS ET AL.

Art Unit

1713

--The MAILING DATE of this communication app ars on the cov r she t with the correspond nce address--

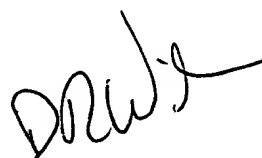
The Appeal Brief filed on 30 September 2002 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. ☒ A single ground of rejection has been applied to two or more claims in this application, and
 - (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) ☒ the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. ☒ Other (including any explanation in support of the above items):

Appellant states that Claims 23-28, 31, 34-37 and 43-44 form a group for contesting the rejection over Okamoto in view of Admissions by applicant, Merck Index, Wu and Yoshino, in further view of Wu or Yoshino. Applicant then states that the claims do not stand or fall together, which is inconsistent with the earlier statement. Assuming that Appellant is stating that the claims are separately patentable, then a separate argument in support thereof is required in the "Argument" section of the brief. See 37 C.F.R. § 1.192(c)(7) and MPEP §1206

Also note that on page 14 of the brief the first line misstates the claims on appeal.



D. R. Wilson
Primary Examiner